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SUBJECT: LISBON TREATY: THE EUROPEAN EXTERNAL ACTION SERVICE --
TOWARD AN EU FOREIGN SERVICE

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SUMMARY

1. (SBU) SUMMARY: The Treaty of Lisbon, if and when ratified, will establish a new European diplomatic corps, known as the European External Action Service (EEAS). The EEAS would support the future High Representative of the EU for External Affairs and Security Policy. The EEAS would knit together officials from the Commission and the Council's General Secretariat, as well as diplomats seconded from the EU Member States. Over time, the new service could help the EU define and implement more unified positions when dealing with external relations. The relationship between the EEAS and the diplomatic services of the Member States will require considerable adjustments during the start-up phase. The EU Commission's own delegation offices, in capitals throughout the world, have garnered a mixed reception. END SUMMARY.

2. (U) The new High Representative ("High Rep") of the EU for Foreign Affairs and Security Policy will be appointed under the Treaty of Lisbon (still subject to full ratification and entry into force). He or she will combine the current responsibilities of the European Commission's External Relations (RELEX) Commissioner Benita Ferrero-Waldner with those of the High Rep for the EU's Common Foreign and Security Policy (CFSP) Javier Solana. Under "Lisbon," the new High Rep, who will also serve as a Commission Vice-President, will conduct the EU's CFSP, contribute to the development of such policy, and then implement policy. He or she will have similar responsibility for the EU's European Security and Defense Policy (ESDP). As a member of the Commission, the High Rep will also have at his or her disposal the budget currently held by the RELEX Commissioner, thus improving the EU's ability to put its money where its mouth is on foreign policy. A key innovation is that the High Rep will chair the meetings of the "Foreign Affairs" Council. The current "External Relations" and "General Affairs" components of the GAERC (General Affairs and External Relations Council) will be split into separate Council formations, with the High Rep chairing sessions on external relations and the (rotating) EU Presidency Foreign Minister chairing the separate General Affairs Council.

3. (SBU) According to the Lisbon Treaty (Article 27[3]), the new High Rep is to propose the organization and functioning of the European External Action Service (EEAS) to assist him or her, in cooperation with the diplomatic services of the Member States. It is to be made up of officials from relevant departments of the Secretariat General of the Council and of the Commission, as well as staff seconded from national diplomatic services of the Member States. The EEAS will be formally established by a decision of the Council, after consulting the European Parliament and after obtaining the consent of the Commission.

MAKING UP THE EEAS

14. (SBU) The precise composition, size and internal set-up of the EEAS are not spelled out in the Treaty of Lisbon. As early as 2005, EU officials began work on plans for the EEAS. Many questions remain, in part because Member State governments were unable to work on solid legal ground, pending ratification of Lisbon. Contacts have told us the EEAS was not talked about much this past year to avoid its possible role becoming an issue in the October 2009 Irish referendum on the Lisbon Treaty. It is likely some staff in the Council Secretariat will move to the new, permanent Presidency of the General Secretariat. With the process of shaping his new team somewhat delayed pending clarification of the fate of the Lisbon Treaty, President Barroso has not provided indications on how policy implementation would be integrated with the EEAS. Trade policy, now run by the Commission's Directorate General for Trade, will likely remain separate from the External Relations Directorate General and the EEAS. Development and humanitarian aid policy could be closely associated with, if not fully incorporated into, the EEAS to ease the formulation of a comprehensive and coherent foreign policy toward Africa. Other questions still need to be answered. Among these: will there be a chain of command -- e.g., on budgetary and administrative matters -- that will give the new High Rep an effective coordinating and

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supervisory role inside the new College of Commissioners? Commission internal rules could be adjusted to ensure that certain decisions by individual Commissioners could be taken only in agreement with the High Rep who will also, as described, serve as one of several Vice Presidents of the Commission.

16. (SBU) A 2005 progress report and recent discussions among the EU PermReps suggest that the EEAS could be "sui generis;" i.e., not fall within existing EU institutions, but would be linked to them. Like the European Defense Agency (EDA), the EEAS might have no tenured staff of its own, at least in its start-up phase. If proven effective, it could subsequently evolve into a more stable structure. The need for the EEAS to bring together staff from two EU bodies (Commission and Council Secretariat) and 27 Member States will naturally provoke bureaucratic turf wars that could impair its effectiveness.

17. (SBU) A possible interim solution could preserve the "sui generis" character of the EEAS without creating a new status for its staff; in this scenario the EEAS would have staff entirely seconded from the Commission, the Council General Secretariat and the Member States. The administrative costs of the EEAS could be covered primarily by the EU budget, thus involving the European Parliament (EP), which is keen to expand its influence on the conduct of EU foreign policy through its supervisory responsibilities over the Commission. (NOTE: The EP's role in "second pillar" issues has traditionally been limited to budgetary provisions with no say in CFSP decision-making, which remains a prerogative of the Member States. #END NOTE.) The arrangement could be applied initially through 2013 (when the current EU Financial Guidelines will expire) or 2014 (the end of the next Commission's term) and be reviewed in light of experience.

DEALING WITH THE EEAS

18. (SBU) Inside the EU system, the EEAS will have to liaise with the President of the European Council who will serve a two and a half year term, the every-six-months rotating Presidency of the Council, and relevant EU and Member State officials. Its liaison role will include preparing for the monthly General Affairs Councils (the other component of the current GAERC) to ensure the necessary policy coherence with foreign policy issues. In dealing with the foreign diplomatic corps accredited to the EU (including USEU), the EEAS will likely become the regular channel for day-to-day contacts and dialogue, answering queries and sharing information with people who currently deal with the many faces and voices operating in EU institutions. And in all of this, the EEAS will report formally to the new High Rep for Foreign Affairs and Security Policy. As confusing as this role may seem, it is perhaps little different from how any nation's embassies abroad deal with their own respective national interagency process.

¶9. (SBU) The Commission currently has over 150 delegations overseas, dealing primarily with EU assistance and issues (such as trade) where Member States have handed authority over to the EU. Some heads of delegation may be eager to use Lisbon implementation to gain visibility and importance as the local branch of the EEAS. In fact, under Lisbon, these delegations will fall under the authority of the new High Rep. To date we have observed considerable unevenness in the performance of Commission delegations in third countries. Even EU Member State diplomats have been dismissive of the Commission delegations' appropriation of diplomatic titles such as "Ambassador" and "First Secretary." We have observed Commission delegation officials making public statements at odds with common foreign policy positions of the EU-27 Member States. Another question is whether Member State diplomats, especially the more able, will want to take a detour from their home country foreign services for a stint in the EEAS. The pay may be better, but will they want to put at risk their careers in their member state diplomatic services by taking a multi-year absence to participate in the EEAS?

¶10. (SBU) We put this last question, on member state diplomats' potential interest in serving in the EEAS, to two Senior Commission officials responsible for training at the EEAS. Both replied that respected member state diplomats may want to serve as Chief of Mission at the EEAS' largest posts, and perhaps also in ranking positions such as Political Counselor at high profile posts. Otherwise, they agreed, the EEAS will not have much appeal for member state diplomats from the EU's larger countries. Diplomats from smaller member states, however, may prove to be more interested in a stint in the EEAS.

¶11. (SBU) Our two Senior Commission training officials (one of whom had served at the EU Commission delegation in Washington) said they will not be setting up anytime soon a U.S. Foreign Service Institute-type training facility. Such an institution, they said, would be far too threatening to the member states. What our

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Commission contacts are already doing, however, is setting up training seminars for Commission and Member State diplomats on foreign policy themes. They are also approaching local think tanks and academic institutions to explore the most useful options for training modules in the future. From their descriptions, those modules correspond quite closely to FSI School of Professional Studies training courses. We even perceive the think tanks and academic institutions in Brussels trolling for their own contractual opportunities in these forthcoming programs.

¶12. (SBU) Serge Abou, the head of the European Commission delegation in Beijing, recently described the future EEAS as "a very important engine to make more and more harmonious the analysis, the views and the actions of our Member States." He sees his future EEAS colleagues becoming first among equals in areas of EU competence, compared to Member State diplomats. He thought that in capitals such as Washington, where Member States are well represented, EU embassies would "help defend and express the common positions" developed in Brussels. With a large network of Commission offices in developing countries, implementation of Lisbon reforms would also enable EU citizens and tourists to have greater access to diplomatic facilities overseas. We are told that some Member States may take advantage of the EEAS and growing EU delegations abroad to close some bilateral embassies.

IMPLICATIONS FOR THE U.S.

¶13. (SBU) Should Lisbon be implemented, the U.S. will need to adjust constantly to the Treaty's implementation, including the EEAS. With the new High Rep eventually giving us, perhaps, the famous "one phone number" to call -- combining these separate bureaucracies together will be complex and lengthy. Some sources tell us it could take two years to implement Lisbon reforms, and many provisions will require, in effect, an extension of the negotiations among Member States.

